



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: NAN-2006-00091
Issue Date: January 4, 2007
Expiration Date: February 5, 2007

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

APPLICANT: Octagon, LP
95 Reef Road
Fairfield, CT 06824

ACTIVITY: Install floating pier assemblies for construction of a commercial ferry terminal

WATERWAY: East River, Western Channel Between Roosevelt Island and Manhattan Island

LOCATION: Roosevelt Island, Borough of Manhattan, New York County, New York

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely effect Essential Fish Habitat (EFH). The proposed work, fully described in the attached work description, could cause the disruption of habitat for various life stages of some EFH-designated species. However, the U.S. Army corps of Engineers has made the preliminary determination that the site specific adverse effects are not likely to be substantial. Further consultation with NMFS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occurs. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

New York State Department of Environmental Conservation

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8523 and ask for Naomi Handell.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>


fa Richard L. Tomer *4 JAN 07*
Chief, Regulatory Branch

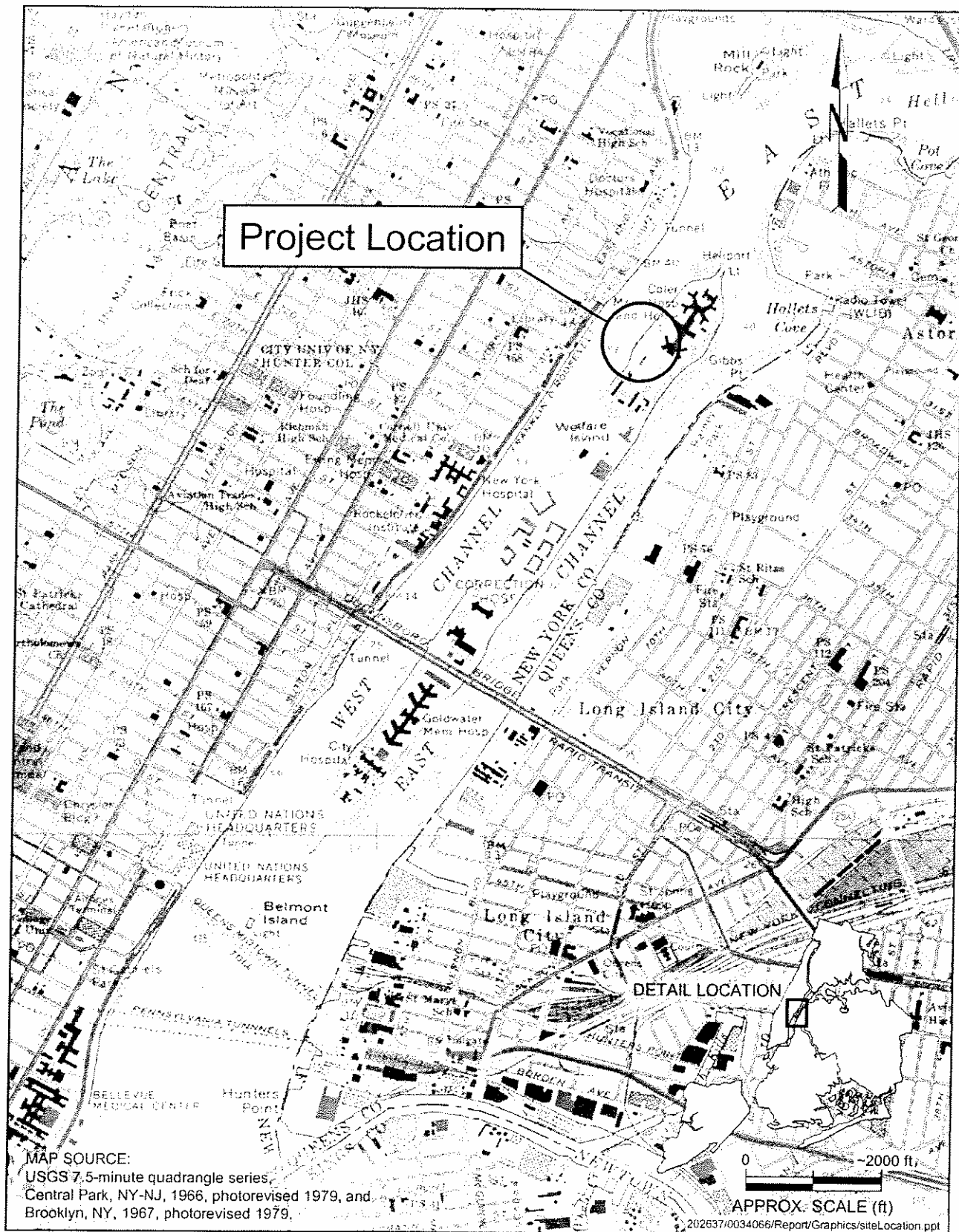
Enclosures

WORK DESCRIPTION

The applicant, Octagon LP, has requested Department of the Army authorization to install floating pier assemblies on the western shore of Roosevelt Island in the East River opposite East 79th Street, Manhattan. The proposed floating piers would be located in the waterway known as the Western Channel of the East River between Roosevelt Island and Manhattan at Octagon Park on Roosevelt Island, New York County, New York.

The applicant's proposed design, as shown on the attached drawings, would involve installation of two (2) floating dock assemblies, one on the north side of an existing concrete pier and one on the south side of the same concrete pier. Each new floating pier would consist of a 15-foot-wide by 20-foot-long landing float with dual gangways measuring approximately 5-foot wide by 30-foot long and 4-foot wide by 60-foot long. Both floating pier structures would be accessible from the existing concrete pier. The applicant reports that the floating structures would be anchored in place with steel pipe bracing beams attached to the adjacent Roosevelt Island seawall with elastomeric energy absorbing hinges. The applicant reports the channelward ends of the bracing arms both north and south of the existing concrete pier would be attached to the floating piers to support energy absorbing fenders.

The applicant's stated purpose for this work is to construct a facility for the temporary short term berthing of ferry vessels to load and off-load ferry passengers, and to provide an additional means of transportation between Roosevelt Island and Manhattan Island. The permit application also states incidental use of the requested floating piers by private vessels is anticipated; however, the application further states it is not the applicant's intention to provide accessible facilities for all possible vessels or incidental uses. If the requested construction is permitted, a commercial water taxi and commuter passenger ferry terminal would be established at this location.



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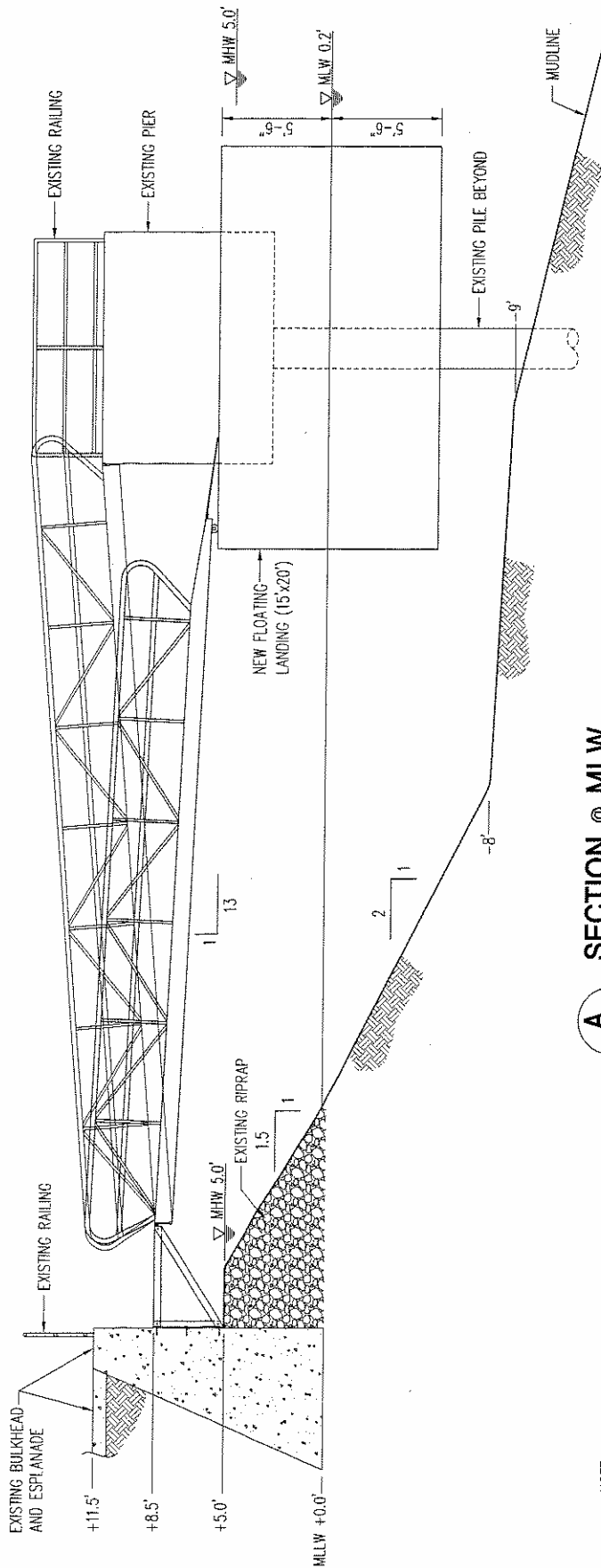
Octagon LP
#2006-00091-1/3 2/6

MHD (SEE NOTE 1)	BID (SEE NOTE 2)	LOCATION/DATUM
6.5'	11.5'	TOP OF PIER
0.0'	--	MANHATTAN HIGHWAY DATUM (MHD)
0.0'	5.0'	MEAN HIGH WATER
-2.75'	2.265'	NGVD29
--	0.0'	'BELMONT' ISLAND DATUM' (BID)
-4.3'	--	MEAN LOW WATER (SEE NOTE 3)

NOTES:

1. MANHATTAN HIGHWAY DATUM. ALL ELEVATIONS SHOWN ON THESE PLANS ARE REFERENCED TO THIS DATUM.
2. AS-BUILT ELEVATIONS AS FOUND IN LANGAN PLANS OF 9/14/97.
3. MLW FOR THIS SITE BASED ON QUEENSBORO BRIDGE TIDAL OBSERVATIONS.

PROJECT NO. 05038 SCALE AS NOTED DATE 10-25-05 DRAWN BY EJC CHECKED BY DESIGNED BY		ROOSEVELT ISLAND, NEW YORK ROOSEVELT ISLAND WATER TAXI 100 Street Hill Road, West Nyack, NY 10994 Tel: (845) 353-6500 Fax: (845) 353-6500 E-mail: roosevelt@mgmlaren.com McLaren ENGINEERING GROUP		SHEET NO. 56580 NAME C. McLAREN P.E.		SECTIONS MLW		L-2.1 OF
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A SECTION @ MLW
 $\frac{3}{16}" = 1' - 0"$

NOTE:
 EXISTING BATHYMETRY PER AS-BUILT PLANS
 BY LANGAN ENGINEERING, 9/14/97.

Octagon LP
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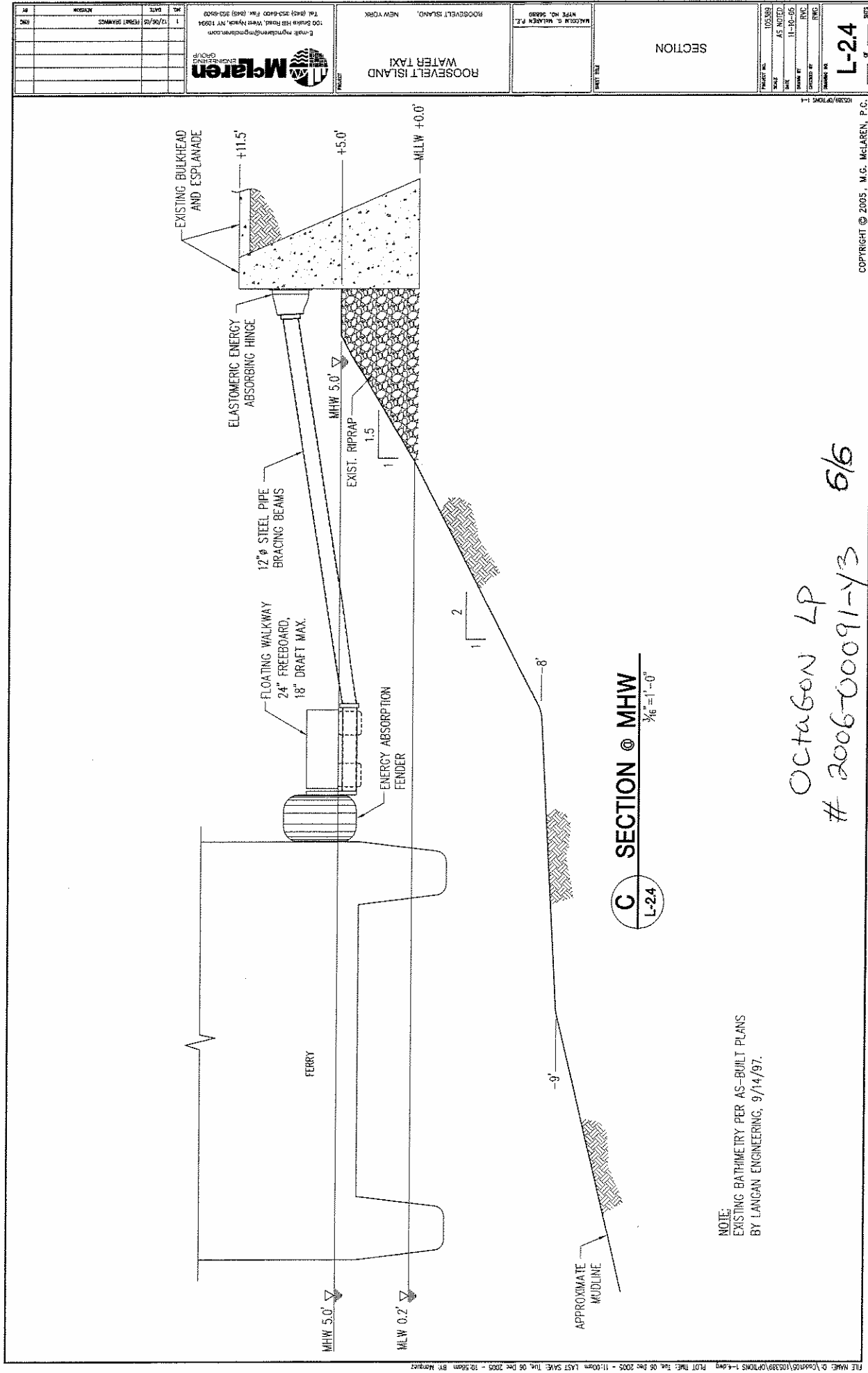
Octagon LP
2006-00091-Y3

NOTE:
EXISTING BATHMETRY PER AS-BUILT PLANS
BY LANCAN ENGINEERING, 9/14/97.

A SECTION @ MHW
L-2.2 $\frac{3}{16}'' = 1'-0''$



Octagon LP
2006-00091-Y3
5/6



Octagon LP
 # 2006-00091-y3 6/6

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McLaren ENGINEERING GROUP 180 Avenue of the Americas, 11th Floor, New York, NY 10036 Tel: (212) 350-6000 Fax: (212) 350-6009 E-mail: mclaren@mcclaren.com		ROOSEVELT ISLAND, NEW YORK WATER TAXI		PROJECT NO. 00000 DATE 11-10-05		SECTION	
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